

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA, :  
 :  
Plaintiff, :  
 :  
v. :  
 :  
MICHAEL BRASSINGTON, PAUL :  
BRASSINGTON, BRIAN MCKENZIE, :  
JOHN FRANCIS VIEIRA, AND JOHN :  
KIMBERLING, :  
 :  
Defendants. :

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**Hon. Dennis M. Cavanaugh**

**ORDER**

Crim. No. 09-CR-45 (DMC)

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon motion by Defendant John Kimberling (“Defendant”) for a stay of the proceedings against him, or a severance from within the proceedings, on the grounds he is unable to travel for medical reasons. After considering the submissions of the parties, and based upon the Court’s Opinion filed this day;

IT IS this 26th day of August, 2010;

**ORDERED** Defendant’s motion to stay is **denied**; and further,

**ORDERED** Defendant’s motion to sever is **denied**.

S/ Dennis M. Cavanaugh  
Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk’s Office  
cc: All Counsel of Record  
File